

1 Thomas J. Leanse (Cal Bar No. 084638)
2 Brian D. Huben (Cal Bar No. 134354)
3 Dustin P. Branch (Cal Bar No. 174909)
4 **KATTEN MUCHIN ROSENMAN LLP**
5 2029 Century Park East, Suite 2600
6 Los Angeles, CA 90067-3012
7 Telephone: 310.788.4400
8 Facsimile: 310.788.4471

9 Attorneys for Landlord Creditors
10 The Macerich Company, RREEF, Cousins Properties, Watt Companies,
11 The Prudential Insurance Company of America, KNP Investments,
12 Foursquare Properties, Inc. and Portland Investment Company of America

13 **UNITED STATES BANKRUPTCY COURT**
14 **EASTERN DISTRICT OF VIRGINIA**

15 In re:) Chapter 11
16)
17) Case No. 08-35653
18 CIRCUIT CITY STORES, INC.,)
19) **VERIFIED STATEMENT PURSUANT TO**
20 Debtor.) **FEDERAL RULE OF BANKRUPTCY**
21) **PROCEDURE 2019**

22 I, Brian D. Huben, declare and state as follows:

23 1. I am an attorney licensed to practice law in the State of California and a partner with
24 the law firm of Katten Muchin Rosenman LLP ("Katten"). I have personal knowledge of the facts
25 set forth herein and if called as a witness could and would competently testify thereto.

26 2. I, along with Thomas J. Leanse, a partner with Katten, are the attorneys primarily
27 responsible for representing the following creditors (the "Landlords") in connection with the above
28 entitled case:

(1) The Macerich Company, c/o Steve Spector, Esq., 401 Wilshire Blvd., Suite
700, Santa Monica, California 90401, Landlord and/or managing agent for the following shopping
center locations:

Chandler Festival Mall	Chandler, AZ
Greentree Mall	Clarksville, IN
Lakewood Center	Lakewood, CA

1 San Tan Village Gilbert, AZ
2 Scottsdale 101 Scottsdale, AZ
3 Tysons Corner Center McLean, VA
4 Village Square I Phoenix, AZ
5 Vintage Faire Modesto, CA

6 (2) RREEF Management Company, c/o Charlotte Sweetland, 3340 Peachtree
7 Road NE, Suite 250, Atlanta, GA 30326, Landlord and/or managing agent for the following
8 shopping center locations:

9 Crossroads Center Falls Church, VA
10 Firecreek Crossing Reno, NV

11 (3) Cousins Properties, Incorporated, c/o Pamela F. Roper, 191 Peachtree Street
12 NE, Suite 3600, Atlanta, GA 30303, Landlord and/or managing agent for the following shopping
13 center locations:

14 Avenue at Forsyth Cumming, GA
15 Los Altos Market Center Long Beach, CA

16 (4) Watt Companies, c/o Wendy Campbell, 2716 Ocean Park Blvd., Suite 3040,
17 Santa Monica, CA 90405, Landlord and/or managing agent for the following shopping center
18 locations:

19 Compton Town Center Compton, CA
20 Norwalk Plaza Norwalk, CA
21 Riverside Town Center Riverside, CA

22 (5) The Prudential Insurance Company of America, c/o J. Scott Weaver, Esq.,
23 15660 N. Dallas Parkway, Suite 1100, Dallas, TX 75248, Landlord and/or managing agent for the
24 following shopping center locations:

25 Desert Crossing Desert Springs, CA
26 Pembroke Crossing Pembroke Pines, FL

27 ///

28 ///

(6) Portland Investment Company of America, c/o Bruce Goren, 10866 Wilshire Blvd., 11th Floor, Los Angeles, CA 90024, Landlord and/or managing agent for the following shopping center location:

Sawmill Plaza Columbus, OH

(7) KNP Investments, c/o Robert Spies, 12400 Wilshire Blvd., Suite 400, Los Angeles, CA 90025, Landlord and/or managing agent for the following shopping center location:

Pasadena Pasadena, CA

(8) Foursquare Properties, Inc., c/o Edward Krasnove, 5850 Avenida Encinas, Suite A, Carlsbad, CA 92008, Landlord and/or managing agent for the following shopping center location:

Jordan Landing Plaza West Jordan, UT

3. The Landlords currently hold unsecured pre-petition claims, unsecured rejection claims and/or post-petition administrative claims for unpaid rent and other charges. The full amount of each of the Landlords' claims is undetermined at this time.

4. The Landlords have all retained Katten to represent them with respect to their interests in connection with the above captioned case. All parties are being billed on a monthly basis. All parties are aware of Katten's representation of other clients in this matter.

5. All of the Landlords have waived the conflict of interests that might exist between them.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 17th day of December, 2008 at Los Angeles, California.

/s/ Brian D. Huben
Brian D. Huben

PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Katten Muchin Rosenman LLP, 2029 Century Park East, Suite 2600, Los Angeles, CA 90067-3012.

On December 17, 2008, I served the foregoing document described as **VERIFIED STATEMENT PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2019** on the interested parties in this action by placing a true and correct copy of this document thereof, enclosed in a sealed envelope, addressed as follows:

Debtor's Counsel

Daniel F. Blanks
McGuire Woods LLP
9000 World Trade Center, #101
W. Main Street
Norfolk, VA 23510
E-mail: dblank@mcquirewoods.com

Debtor

Circuit City Stores, Inc.
9950 Mayland Drive
Richmond, VA 23233

Via U.S. Mail Only

Trustee

United States Trustee
W. Clarkson McDow, Jr.
701 E. Broad Street, Suite 4304
Richmond, VA 23219

Via U.S. Mail Only

(X) **(BY MAIL)** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with US. postal service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

(X) **(BY ELECTRONIC MAIL)** By transmitting electronically to the parties at the email address indicated below. To the best of my knowledge the transmission was reported as complete and I did not receive a notice of failure of receipt of each such document

I declare under penalty of perjury under the laws of the State of California that the above is true and correct and that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on December 17, 2008, at Los Angeles, California.

/s/ Donna Carolo
Donna Carolo